



ATTORNEYS AT LAW

Lennon,  
Murphy &  
Lennon, LLC**MEMO ENDORSED****By Hand**

Hon. Richard M. Berman  
 United States District Judge  
 Daniel Patrick Moynihan United States Courthouse  
 500 Pearl Street, Room 650  
 New York, New York 10007-1581

Re: *JH Shipping v. Belarussian Shipping Co., et al.*  
 Docket no.: 07 Civ. 9343 (RMB)  
 Our Ref: 07-1249

The GrayBar Building  
 420 Lexington Ave., Suite 300  
 New York, NY 10170  
 phone (212) 490-6050  
 fax (212) 490-6070

[www.lenmur.com](http://www.lenmur.com)

Tide Mill Landing  
 2425 Post Rd, Suite 302  
 Southport, CT 06890  
 phone (203) 256-8600  
 fax (203) 256-8615

[mail@lenmur.com](mailto:mail@lenmur.com)

April 21, 2008

*Defendant to respond by 4/24/08 + to consider Rule 11 issues in your response. Parties are expected to live up to their settlements.*

**SO ORDERED**  
 Date: 4/21/08

*Richard M. Berman*  
**Richard M. Berman, U.S.D.J.**

Dear Judge Berman:

We are attorneys for the Plaintiff in this admiralty action brought pursuant to Supplemental Admiralty Rule B of the Federal Rules of Civil Procedure. On April 10, 2008 we attended a status conference before your Honor and advised that the Court that the parties had reached a settlement but that Defendant had not yet made payment in satisfaction of the settlement. Your Honor issued an Order discontinuing the case subject to the case being restored to the Court's calendar for good cause shown.

We have now been advised that the deadline for the Defendant to satisfy the settlement has passed but that payment has not been received and is not expected. We therefore request that your Honor restore this matter to his calendar so that Plaintiff may take further action to both obtain security for its claims and also, if necessary, proceed with an application for enforcement and recognition of its interim London arbitration award. Plaintiff has to date succeeded in attaching slightly more than \$37,000 of Defendant's property in the district and has obtained an interim London arbitration award in its favor in the sum of \$354,275.83, exclusive of interest, costs and fees.

Should your Honor have any questions or comments we are available to discuss the same at any convenient time to the Court.

Respectfully submitted,

Kevin J. Lennon

KJL/bhs

USDC SDNY
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